

Arlington Annual Town Meeting Voting 2005

ARTICLE 3 APPPOINTMENT OF MEASURERS OF WOOD AND BARK

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That John A. FitzMaurice, 17 Lakeview, be and hereby is appointed Measurer of Wood and Bark until the next Annual Town Meeting.

A true copy of the vote under Article 3 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held April 25, 2005.

ATTEST:

Town Clerk

ARTICLE 4 ELECTION OF ASSISTANT MODERATOR

VOTED: (QUORUM PRESENT)

An election for the position of Assistant Moderator for a term of one year as provided in Title I, Article 1, Section 11A of the Bylaws was conducted by ballot.

The ballots were tallied by the Moderator and the Town Clerk and the results were:

Richard L. Carreiro 62

John Leone 121

Spoiled Ballot 1

TOTAL 184

Mr. Leone was declared elected.A true copy of the vote under Article 4 of the Warrant for the

Annual Town Meeting of the
Town of Arlington at the session
held April 27, 2005.

ATTEST:
Town Clerk

ARTICLE 5

**ZONING BYLAW AMENDMENT/
AFFORDABLE HOUSING**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That the Town vote to amend the Zoning Bylaw in Article 11, Section 11.06-Environmental Design Review, subsection b,1(b) immediately following “Six or more dwelling units on the premises, whether contained in one or more structures”, by adding the words, “or on one or more contiguous lots, constructed within a two year period”;

AND, in Article 5, Section 5.04 TABLE OF USE REGULATIONS, following use “1.01 Single-family detached dwelling”, add a new use “1.01a Six or more single-family dwellings on one or more contiguous lots”, and by inserting the letters “SP” under the columns headed R0, R1, R2, R3, R4, R5, R6, R7, B1, B2, B2A, B3, B4, B5, MU, PUD;

AND, in Article 5, Section 5.04 TABLE OF USE REGULATIONS, following use “1.02 Two-family dwelling, duplex house”, add a new use “1.02a Six or more units in two-family or duplex houses on one or more contiguous lots”, and by inserting the letters “SP” under the columns headed R2, R3, R4, R5, R6, R7, B1, B2, B2A, B3, B4, B5, MU, PUD;

AND, in Article 5, Section 5.04 TABLE OF USE REGULATIONS, at the end of the table in footnote a, immediately after the words “(defined as uses” by inserting “1.01a, 1.02a,”;

AND, in Article 11, Section 11.08,c., DEFINITIONS, in the definition of “Residential” immediately after the words, “Use items”, by inserting “1.01a and 1.02a”.

A true copy of the vote under
Article 5 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 25, 2005.

ATTEST:
Town Clerk

ARTICLE 6**ZONING BYLAW AMENDMENT/
PARKING REQUIREMENTS
SINGLE ROOM OCCUPANCY DEVELOPMENTS**

VOTED: (STANDING VOTE – 135 IN THE AFFIRMATIVE AND 21 IN THE NEGATIVE) (QUORUM PRESENT)

That the Town vote to amend the Zoning Bylaw in Article 11, Section 11.08 by adding to section (e), a subparagraph 2. to read:

“2. Notwithstanding the special permit requirements in Section 8.12(a)(10), in the case of a single room occupancy dwelling, dormitory, boarding house or lodging house, where more than 50% of the units are affordable to households earning no more than 60% of median income, according to Section 11.08(c), DEFINITIONS, “Affordable Units”, the number of parking spaces may be reduced to 50% of the requirements, by special permit, where it can be shown that the parking provided will be sufficient for both residents and employees.”

A true copy of the vote under
Article 6 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 25, 2005.

ATTEST:
Town Clerk

ARTICLE 7**ZONING BYLAW AMENDMENT/HOSPITAL ZONE**

VOTED: (STANDING VOTE – 148 IN THE AFFIRMATIVE AND 4 IN THE NEGATIVE) (QUORUM PRESENT)

That the Town vote to amend the Zoning Bylaw in Article 5, Section 5.02 in the second paragraph, immediately after the words, “A lot or structure located in the R6, R7, B1, B2, B2A, B3, B4, B5, PUD, I,” by deleting “H” and inserting “MU” in place thereof;

And in Article 10, Section 10.05, immediately after the words, “No sign in any “B”,” by deleting “H” and inserting “MU” in place thereof.

A true copy of the vote under
Article 7 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session

held April 25, 2005.

ATTEST:
Town Clerk

ARTICLE 8

ZONING BYLAW AMENDMENT/ STORMWATER MANAGEMENT

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That the Town amend the Zoning Bylaw, Article 11, Section 11.06 (f). Environmental Design Review Standards under standard 5, Surface Water Drainage in the second sentence by deleting the words, "Stormwater shall be removed from all roofs, canopies and paved areas" and inserting in place thereof the words, "Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catchbasins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas.

In accordance with Section 10.11,b, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

A true copy of the vote under
Article 8 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held June 20, 2005.

ATTEST:

Town Clerk

ARTICLE 17

BYLAW AMENDMENT/OUTSIDE LIGHTING

VOTED: (STANDING VOTE – 80 IN THE AFFIRMATIVE AND 74 IN THE NEGATIVE) (QUORUM PRESENT)

That Title V Regulations Upon the Use of Private Property of the Bylaws be and hereby is amended by inserting a new Article 14 – Regulation of Residential Outdoor Lighting, to provide as follows:

Article 14 Regulation of Residential Outdoor Lighting

Section 1. Introduction

It is the intention of this by-law to regulate the use of residential outdoor lighting so as to not unduly inconvenience abutters by having outdoor lighting shining directly into their windows or onto their properties. This by-law is enacted with the understanding that enforcement shall be based upon any complaint issued by any resident or property owner within the Town.

Section 2. Regulation

In all residential neighborhoods, all outdoor lighting, including but not limited to: floodlighting, decorative lighting, lighting primarily designed to illuminate walks and/or walkways, driveways, flagpoles, outdoor living areas and/or outdoor recreational facilities, except for temporary holiday lighting, shall be continuous, indirect, and installed and/or shielded in a manner that shall prevent direct light from shining onto or upon any street and/or adjacent or abutting property.

Section 3. Enforcement

Enforcement of this by-law shall be under the authority of the Building Inspector. Upon receiving a complaint in writing, from a resident or property owner in the Town, the Building Inspector shall enforce this by-law as set forth in the Fines & Fees Schedule of the by-law.

Section 4. Fines & Fees Schedule

- A. First offense: A written warning stating a property owner/resident is in violation; Ten (10) days to meet compliance.
- B. Second offense: \$25.00 Fine. Five (5) days to meet compliance.
- C. Third offense and each subsequent offense \$50.00 Fine. Five (5) days to meet compliance before another \$50.00 fine issues.

A true copy of the vote under Article 17 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 16, 2005.

ATTEST:

Town Clerk

ARTICLE 19**BYLAW AMENDMENT/CONSTRUCTION NOISE**

VOTED: (STANDING VOTE – 106 IN THE AFFIRMATIVE AND 45 IN THE NEGATIVE)

That the Town Bylaws be and hereby are amended by deleting in its entirety Article 12 of TITLE V and substituting therefore a new Article 12 as follows:

**TITLE V
REGULATIONS UPON THE USE OF PRIVATE PROPERTY**

Article 12 NOISE ABATEMENT

Section 1. Definitions.

Except as may be otherwise specified in this Section, all acoustical terminology used in this Article shall have the meaning stated in American National Standard Acoustical Terminology [ANSI S1.1-1998 (R2004) or as it may be revised.]

For purposes of this Article the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Construction.

Any activity requiring a building permit and any and all activity necessary or incidental to the erection, assembling, altering, installing, repair or equipping of buildings, roadways, or utilities, including demolition, land clearing, grading, excavating, and filling and paving.

DB(A).

The A-weighted sound level in decibels, as measured by a type I or II sound level meter complying with the provisions of Specifications for Sound Level Meters [(ANSI S1.4-1983 (R2001) with amendment S1.4A-1983 or as it may be revised], American National Standards Institute (ANSI), properly calibrated, and operated on the “A” weighting network, slow setting.

Demolition.

Any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

Domestic Power Equipment.

Electrical, battery or generator powered equipment intended for use in residential areas by a homeowner. Examples include but are not limited to chain saws, log splitters, power saws, drills, grinders, lawn and garden tools.

Emergency.

An occurrence or set of circumstances requiring immediate action involving

- a. the restoration of public utilities or
- b. the restoration of property to a safe condition following a public calamity or
- c. the protection of persons or property from imminent exposure to danger.

Emergency Work.

Work which is performed in an effort to alleviate an emergency.

Emergency Vehicle.

Any vehicle being operated as part of emergency work.

Heavy Equipment.

Commercial or industrial equipment such as motorized earth moving equipment, jack hammers, pavement breakers, pile drivers, trucks for loading and unloading dumpsters, tractor-trailers, and parking lot maintenance equipment.

Pavement Breaker.

Any hydraulically or pneumatically powered impact device intended to cut or trench pavement, subbase macadam, gravel, concrete, or hard ground.

Person.

Any individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau or agency, or any other entity recognized by law as the subject of rights and duties, including the Town, its agencies and departments and any person, as herein defined, operating under a contractual arrangement or agreement with the Town.

Pile Driver.

An impact device designed or used for the driving of piles, columns and other supports into soil or other material by means of impact, vibrations, pressure, or other means.

Section 2. Exceptions.

The provisions of this Article shall not apply to:

- A. Emergency Alert. The emission of sound for the purpose of alerting persons to the existence of an emergency or as otherwise specifically permitted by the provisions of this Article.
- B. Emergency Work. The emission of sound in the performance of emergency work.
- C. Public Speakers. Public speaking and public assembly activities except those activities otherwise regulated by this Article.
- D. Activities with Permits. Events and activities (other than construction work) for which proper permits or licenses have been issued.
- E. Emergency Vehicles.
- F. Snow Removal. The emission of sound for the purpose of clearance or removal of snow.
- G. Explosives. The emission of sound resulting from the use of explosives when authorized by the Arlington Fire Department in accordance with Board of Fire Prevention Regulations 527 CMR 13 and other relevant regulations and statutes of the Commonwealth of Massachusetts.
- H. Religious Uses. Devices used in conjunction with places of religious worship.
- I. Town Horn. The sounding of the Town Horn.
- J. The intermittent or occasional use, during the daytime (as defined in Section 3, Subsection A), of homeowner's domestic power equipment.

Section 3. Daytime-Only Activities.

The following acts are specifically prohibited.

- A. Prohibited Times. Operating, or permitting the operation of, any of the following devices or vehicles
 - 1. before 8:00 A.M. on Saturday, Sunday or legal holiday
 - 2. before 7:00 A.M. on all other days, or
 - 3. after 8:00 P.M. on any day,

in any zone in the Town:

- a. Heavy equipment (as defined in Section 1), and
- b. All electric motors or internal combustion engines, or other construction devices, tools or equipment, used in construction, drilling, demolition, maintenance, or earth moving, including but not limited to bulldozers, backhoes, concrete mixers, dump trucks, pneumatic tools, rollers, scrapers, air compressors, generators, jackhammers, cranes, pavement breakers, pile drivers, rock drills, and chainsaws.

- B. Loundspeakers. Operating or causing to be operated a public address loudspeaker, whether mobile or stationary, after 9:00 P.M. or before 8:00 A.M.

Section 4. Maximum Sound Levels.

- A. Sound Measurement. When a sound source is located in public spaces, sound measurements shall be made at, and sound level determination made in relation to, any location lawfully accessible to the public.

When the sound source is located on private property, sound measurements shall be made at the boundary line of such property or as close thereto as is feasible.

- B. Sound Limitations. No person or persons owning, leasing, or controlling the operation of any source or sources of sound shall permit, either willfully, negligently, or by failure to provide necessary equipment or facilities or to take necessary precautions, the production of sound with a sound level greater than 85 dB(A) at any time, other than sounds associated with construction or maintenance work.

For any sounds above 85 dB(A) associated with construction or maintenance work, the Town Manager or the Town Manager's designee is authorized to require the person to provide noise monitoring equipment, pay for consultants to advise the Town as to feasible alternatives to accomplish the work at lower sound levels, implement any reasonable noise mitigation measures, and/or to impose any reasonable time restrictions on the activity.

Section 5. Penalties.

Any person violating any provision of this Article shall be subject to a fine of \$200.00 for each offense and/or an action in a court of competent jurisdiction, seeking an order to cease and desist from such activity. Each day or part thereof if any violation continues shall constitute a separate offense.

Section 6. Manner of Enforcement.

Violations of this Article shall be prosecuted in the same manner as other violations of the Town By-Laws provided, however, that in the event of an initial violation of the provision of this Article, a written notice shall be given the violator requiring the cessation of the activity. No complaint or further action shall be taken in the event the cause of the violation has been removed, the condition abated or fully corrected upon the receipt of such notice.

In the event the violator cannot be located in order to serve the notice, the notice as required herein shall be deemed to be given upon mailing such notice by registered or certified mail to the violator at his last known address or at the place where the violation occurred. At the discretion of the Town Manager subject to the approval of the Board of Selectmen, repetition of the same offense may result in the immediate filing of a complaint and/or action in a court of competent jurisdiction to cease and desist same.

Section 7. Notification.

The Building Inspector will provide a copy of this bylaw to any individual applying for any permit for work that might involve noise levels subject to this bylaw but his failure to do so will not affect the enforceability of this bylaw.

Section 8. Conflict with other Regulations.

The provision(s) of this Article or the application of such provision(s) to any person or circumstances shall be held invalid, the validity of the remainder of this Article and applicability of such provisions to other persons or circumstances shall not be affected thereby.

And by adding the following line
“Title V, Article 12 (Noise Abatement)”
to Title IX, Article 2 (Non-Criminal Disposition of Bylaws)
immediately after the line which says
“Title V, Article 9 (Dumpster Placement)”

A true copy of the vote under
Article 19 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held June 20, 2005.

ATTEST:

Town Clerk

ARTICLE 20**BYLAW AMENDMENT/NOTICE OF DEMOLITION****VOTED: (MAJORITY VOTE) (QUORUM PRESENT)**

That the Bylaws be and hereby are amended by adding a new Article 7 to Title VI Building Regulations to provide as follows:

“Article 7 Notice of Demolition. The owner of any building who intends to have such building demolished must, at least seven days prior thereto, give notice by first-class mail to all abutters within 200 feet of such building before such demolition can commence. Demolition shall be defined as the act of pulling down, destroying, removing, or razing a building, or commencing the work of total or substantial destruction with the intent of completing the same. When applying for a demolition permit, the applicant shall demonstrate to the satisfaction of the Inspector of Buildings that he has given the notice required herein, by providing a list of those notified, a copy of the notice, and an affidavit stating when it was mailed. Violators of this bylaw will be subject to a fine of \$200.”

A true copy of the vote under
Article 20 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 27, 2005.

ATTEST:

Town Clerk

ARTICLE 21**BYLAW AMENDMENT/HANDICAPPED PARKING****VOTED: (UNANIMOUSLY) (QUORUM PRESENT)**

That, pursuant to the provisions of MGL c. 40, Section 21, Clauses 23 and 24, the Bylaws of the Town be and hereby are amended by adding a new Article 13 "Handicap Parking" to Title V Regulations upon the Use of Private Property to provide as follows:

Article 13. HANDICAP PARKING

"Police are authorized to enter on to private property on which the public has a right of access as invitees and/or licensees to enforce handicap and disabled veterans parking violations as if same had occurred on public ways. The penalty for leaving of vehicles unattended within parking spaces designated as reserved for vehicles owned and operated by disabled veterans or handicapped persons shall be twenty-five dollars for the first offense and for any second or subsequent offense fifty dollars. The police may cause such vehicles to be towed at the owner's expense in accordance with applicable state law."

A true copy of the vote under
Article 21 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 27, 2005.

ATTEST:

Town Clerk

ARTICLE 23**ENLARGE PLEASANT STREET HISTORIC DISTRICT**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 T.M.M. PRESENT AND VOTING)**

To enlarge the Pleasant Street Historic District (established under G.L. Ch 40C by vote under Article 32 of the 1988 Annual Town Meeting) by adding thereto properties on Academy, Irving, Maple, and Pleasant Streets and Massachusetts Avenue, and to accomplish the same to amend Title VII of the By Laws as follows:

Article 1, Section 4, add before close of parenthesis “and May 2, 2005”

Article 2, Section 4, add at the end:

“D. Third Enlargement (voted 5/2/2005). Added thereto the land and buildings now known as and numbered 5-7, 9, 11, 13, 19, 20, 22, 23, 24, 26, 26A, 28, 29, 32, 33, 34, 35, 36, 38, 41, 42, 44, 48, 49, 50, 51, 53, 54, & 55 Academy Street, 17 Irving Street, 14, 16, 19, 20, 21, 23, 24, & 28 Maple Street, 734-36 Massachusetts Avenue, and 67 Pleasant Street, said properties being bounded and described as follows:

Starting at a beginning point on the northwesterly sideline of Academy Street 91.53 feet from the easterly sideline of Irving Street, thence going northwesterly a distance of 186.20 feet to a point, thence going northeasterly a distance of 115.70 feet to a point, thence going southeasterly a distance of 19.08 feet to a point, thence going northeasterly a distance of 114.78 feet to a point, thence going southeasterly a distance of 100.00 feet to a point, thence going northeasterly a distance of 191.80 feet to a point, thence going southeasterly a distance of 15.00 feet to a point, thence going northeasterly a distance of 860.24 feet to a point, thence going easterly a distance of 12.00 feet to a point, thence going northeasterly a distance of 98.55 feet to a point, thence going southeasterly a distance of 77.00 feet to a point (being the southerly sideline of Massachusetts Avenue), thence going southwesterly a distance of 231.00 feet to a point, thence going southerly a distance of 45.00 feet to a point, thence going southeasterly a distance of 372.15 feet to a point, thence going southwesterly a distance of 135.00 feet to a point, thence going southeasterly a distance of 18.95 feet to a point, thence going southwesterly a distance of 106.00 feet to a point, thence going southeasterly a distance of 20.00 feet to a point, thence going northeasterly a distance of 106.00 feet to a point, thence going southeasterly a distance of 316.40 feet to a point on the northwesterly sideline of Pleasant Street, thence going southwesterly a distance of 165.83 feet to a point, thence going

northwesterly a distance of 204.50 feet to a point, thence going southwesterly a distance of 145.42 feet to a point, thence going northerly a distance of 64.60 feet to a point, thence going southwesterly a distance of 84.12 feet to a point, thence going northwesterly a distance of 259.75 feet to a point, thence going southwesterly a distance of 48.35 feet to a point, thence going northerly a distance of 140.25 feet to a point, thence going southwesterly a distance of 20.75 feet to a point, thence going southerly a distance of 83.68 feet to a point, thence going southwesterly a distance of 74.24 feet to a point, thence going southeasterly a distance of 10.00 feet to a point, thence going southwesterly a distance of 60.00 feet to a point (the previous 13 bounds being boundaries of the pre-existing Pleasant Street Historic District) thence going northwesterly a distance of 69.30 feet to a point, thence going southwesterly a distance of 63.10 feet to a point, thence going southeasterly a distance of 25.00 feet to a point, thence going southwesterly a distance of 68.65 feet to a point, thence going southeasterly a distance of 110.00 feet to a point, thence going westerly a distance of 49.83 feet to a point, thence going southwesterly a distance of 78.05 feet to a point, thence going northerly a distance of 16.00 feet to a point, thence going westerly a distance of 100.88 feet to a point, thence going southerly a distance of 112.00 feet to a point, thence going westerly a distance of 46.69 feet to a point, thence going southwesterly a distance of 292.66 feet to a point, thence going northwesterly along a curve (being the westerly sideline of Irving Street) a distance of 323.76 feet to a point, thence going northeasterly a distance of 131.53 feet to the point of beginning. All of said dimensions being more or less, or however said area may be otherwise bounded and described. Shown on a plan entitled "Academy and Maple Street Expansion of the Pleasant Street Historic District, Arlington-Mass January 2005" by Ronald Santosuoso, Town Engineer, dated 1/14/05."

A true copy of the vote under
Article 23 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 2, 2005.

ATTEST:

Town Clerk

ARTICLE 24**HOME RULE LEGISLATION AMEND TOWN
MANAGER ACT/FINANCE COMMITTEE MEMBERSHIP**

VOTED: (STANDING VOTE – 96 IN THE AFFIRMATIVE AND 31 IN THE NEGATIVE) (QUORUM PRESENT)

That the Town does hereby authorize and request that the Board of Selectmen file with the Legislature a Home-Rule Petition to provide substantially as follows:

“AN ACT FURTHER AMENDING AN ACT ESTABLISHING A TOWN MANAGER ACT FOR THE TOWN OF ARLINGTON IN REGARD TO THE APPOINTMENT OF FINANCE COMMITTEE MEMBERS.”

“Section 1. Members

Chapter 503 of the Acts of 1952 An Act Establishing a Town Manager Act for the Town of Arlington, be and hereby is further amended by adding the following sentence after the second sentence of Section 33 “Appointment of Finance Committee”:

‘ In the event that the appointing committee is unable to secure an appropriate candidate from each precinct of the Town, then the committee may appoint a substitute member preferably from an adjacent precinct or a member-at-large to serve in lieu thereof. Notwithstanding the foregoing, no precinct shall have more than two members nor shall there be more than three-at-large members at any given time. The term of a substitute or at-large member shall expire on October 31st of the fiscal year following the fiscal year in which the member was appointed.

No substitute or at-large member shall be appointed to fill a vacant position on the Finance Committee unless no qualified applicant from the precinct applies for appointment before December 15th.

Section 2.

This Act will take effect upon passage.”

A true copy of the vote under
Article 24 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session

held April 27, 2005.

ATTEST:
Town Clerk

ARTICLE 27

**HOME RULE LEGISLATION/TAX EXEMPTIONS
FOR ELDERLY**

VOTED: (QUORUM PRESENT)

That, pursuant to the provisions of Section 51 of Chapter 184 of the Acts of 2002, the Town hereby increases and adjusts the income limits, asset limits and exemption amount provided under Clause 41C of Section 5 of Chapter 59 of the General Laws as follows:

- (a) Income limit --- increase from \$13,000 for a single person to \$20,000.
Increase from \$15,000 to \$30,000 for a married couple.
- (b) Asset limits increase from \$28,000 for a single person to \$40,000. Increase from \$30,000 to \$55,000 for a married couple.
- (c) Increase exemption amounts from \$500 to \$1,000.

Same to be effective for the tax year 2006. (July 1, 2005)

A true copy of the vote under Article 27 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 4, 2005.

ATTEST:
Town Clerk

ARTICLE 29

**HOME RULE LEGISLATION/
CHAPTER 31 GENERAL LAWS**

VOTED: (STANDING VOTE – 142 IN THE AFFIRMATIVE AND 13 IN THE NEGATIVE) (QUORUM PRESENT)

That the Board of Selectmen be and hereby is authorized to file the following Home-Rule Legislation substantially as follows:

“AN ACT TO REMOVE ALL SECRETARIAL STAFF IN THE SCHOOL SYSTEM OF THE TOWN OF ARLINGTON FROM THE PROVISIONS OF CHAPTER 31 OF THE GENERAL LAWS, THE CIVIL SERVICE LAW.

Section 1.

Notwithstanding any General Law or special act to the contrary including without limitation the provisions of Chapter 31 of the General Laws all secretarial and clerical staff in the public schools in the Town of Arlington shall not be subject to the provisions of said Chapter.

Section 2.

This Act shall take effect upon passage."

A true copy of the vote under
Article 29 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 30

REVOLVING FUNDS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

A. Private Way Repair – to reauthorize the revolving fund as established under Article 46 of the 1992 Annual Town Meeting and expenditures not to exceed \$200,000.

Beginning Balance:	\$ 33,489.00
Receipts:	\$ 27,092.76
Expenditures:	\$ 0.00
Ending Balance:	\$ 60,581.76

B. Public Way Repair – to reauthorize the revolving fund established under Article 45 of the 1992 Annual Town Meeting and expenditures not to exceed \$50,000.

Beginning Balance:	\$ 1,098.75
Receipts:	\$ 0.00
Expenditures:	\$ 0.00
Ending Balance:	\$ 1,098.75

C. Fox Library – to reauthorize the revolving fund established under Article 49 of the 1996 Annual Town Meeting relating to receipts received at the Fox Library/Community Center and expenditures not to exceed \$20,000.

Beginning Balance:	\$ 3,558.55
Receipts	\$ 5,509.59
Expenditures:	\$ 10,019.01
Ending Balance:	\$ <959.87>

D. Robbins House – to reauthorize the revolving fund authorized under Article 77 of the 1997 Annual Town Meeting and expenditures not to exceed \$75,000.

Beginning Balance:	\$ 6,522.15
Receipts:	\$ 26,190.00
Expenditures:	\$ 26,562.39
Ending Balance:	\$ 6,149.76

E. Conservation Commission – to reauthorize the revolving fund established under Article 44 of the 1996 Annual Town Meeting relating to consultant fees charged by the Conservation Commission and expenditures not to exceed \$50,000.

Beginning Balance:	\$ 2,106.07
Receipts:	\$ 0.00
Expenditures:	\$ 0.00
Ending Balance:	\$ 2,106.07

F. Tuition Payments – to reauthorize the revolving fund established under Article 34 of the 1999 Annual Town Meeting relating to the receipts including grants and reimbursements paid any governmental entity for tuition payments for non-U.S. citizen students with expenditures not to exceed \$100,000.

Beginning Balance:	\$143,042.27
Receipts:	\$ 5,366.66
Expenditures:	\$ 0.00
Ending Balance	\$148,408.93

G. All Day Kindergarten – to reauthorize the revolving fund established under Article 31 of the 2000 Annual Town Meeting for all day kindergarten under the auspices of the School Department with expenditures not to exceed \$550,000.

Beginning Balance:	\$179,949.95
Receipts:	\$390,151.70
Expenditures:	\$198,467.10
Ending Balance:	\$371,634.55

H. Uncle Sam – to reauthorize the revolving fund established under Article 31 of the 2000 Annual Town Meeting for the Uncle Sam program that promotes Arlington as the “Birthplace of Uncle Sam” under the auspices of the Uncle Sam Committee with expenditures not to exceed \$2,000.

Beginning Balance:	\$ 1,147.80
Receipts:	\$ 0.00
Expenditures:	\$ 0.00
Ending Balance:	\$ 1,147.80

I. Hardy School Program – to reauthorize the revolving fund established under Article 51 of the 2001 Annual Town Meeting for the after school program at the Hardy School with expenditures not to exceed \$225,000.

Beginning Balance:	\$118,851.61
Receipts:	\$113,663.47
Expenditures:	\$111,282.82
Ending Balance:	\$121,232.26

J. Life Support Services – to reauthorize the revolving fund established under Article 37 of the 2001 Annual Town Meeting for emergency medical services with expenditures not to exceed \$400,000.

Beginning Balance:	\$194,252.53
Receipts:	\$ 80,874.00
Expenditures:	\$ 57,385.72
Ending Balance:	\$217,740.81

K. Building User Fees – to reauthorize the revolving fund established under Article 27 of the 1992 Annual Town Meeting to defray the expenses of conducting after hours activities in the schools by outside groups with expenditures not to exceed \$120,000.

Beginning Balance:	\$205,217.20
Receipts:	\$ 77,874.68
Expenditures:	\$ 39,239.88
Ending Balance:	\$243,852.00

L. Board of Health Fees – to authorize a revolving fund to accept permit fees, reinspection fees, seminar fees, and fines to be utilized to fund these programs for the Board of Health with expenditures not to exceed \$25,000.

true copy of the vote under
Article 30 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 33 **ENDORSEMENT OF CDBG APPLICATION**

VOTED: (QUORUM PRESENT)

That the Town hereby endorses the application for Federal Fiscal Year 2006 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (Public Law 93-383) as amended.

A true copy of the vote under

Article 33 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 34

AUTHORITY TO FILE FOR GRANTS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Board of Selectmen, Town Manager, the School Superintendent and the School Committee are granted the general authority to file applications and to accept grants from the federal government, the Commonwealth of Massachusetts and/or any grant making organization during fiscal year 2005.

A true copy of the vote under Article 34 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 35

ESTABLISH COMMITTEE/ PRIVATE WAY PROCEDURES

VOTED: (QUORUM PRESENT)

That Article 3 Repairs to Private Ways of Title III of the Bylaws be and hereby is amended as follows:

1. In Section 3 Criteria a new subsection F “Public Safety” so that as amended Section 3 shall provide as follows:

Section 3. Criteria

The Board shall in making its determination as to the advisability of making repairs take into consideration the following factors:

- A. The accessibility of the properties on the private ways to emergency vehicles such as police, fire and rescue.
- B. The volume of traffic that utilizes the private way, i.e., dead-end as opposed to feeder or connecting streets.

- C. The percentage of abutters on the particular private way petitioning the Board for the repairs.
- D. The number of years that the way shall have been open to public use.
- E. Such other considerations that the Board deems appropriate.
- F. Public Safety.

2. Amend Section 6 Assessment of Costs by striking out the words, “two-thirds deposit” in the first sentence of the second paragraph and substituting therefore “one-third deposit” so that said sentence as amended provides as follows:

“A one-third deposit of the total estimated cost of the completion of the repair project shall be required before any work can be commenced.”

3. and by further amending Article 3 by adding a new Section 7 Collection of Apportioned Share to provide as follows:

“Section 7 Collection of Apportioned Share”
The Board of Selectmen before authorizing any repairs shall adopt a formal Betterment Order which shall require each abutter to pay his/her property’s unpaid apportioned share of the repair cost over a five-year period to include interest at 5 percent or 2 percent above the cost (including Town oversight and administration costs) of any bond issued to fund the repair in question whichever amount is higher. The Assessors in conjunction with the Town Tax Collector will commit such amount to the respective abutter’s property tax bill and the Engineering Division of the Public Works Department will cause same to be recorded at the Registry of Deeds so that same runs with the land.”

4. and further that the existing Section 7 Liability is renumbered as Section 8.

5. and further voted that the Town Meeting hereby establishes a Private Way Repair Study Committee whose membership shall include one member of the Board of Selectmen, the Town Treasurer, the Town Counsel, the Director of Public Works and one citizen appointed by the Board of Selectmen who lives on a private way. The charge of the Private Way Repair Study Committee will be to examine the efficiency and procedures of the

private way repair program and make recommendations as appropriate to the Board of Selectmen, Town Manager and Town Meeting.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN 85 T.M.M. PRESENT AND VOTING)

That the Town appropriate \$300,000 to be expended under the direction of the Town Manager, for repairs to private ways in accordance with Article 3 Private Way Repair Title III of the Bylaws and to meet the appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$300,000 in accordance with Massachusetts General Laws, Chapter 44 or any other enabling authority.

A true copy of the vote under Article 35 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 37 ESTABLISH COMMITTEE/SYMMES NEIGHBORHOOD

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town does hereby establish a committee to be called the Symmes Project Post Development Impact Committee whose charge it will be to assess the impacts on the greater Symmes neighborhood and the Town that result from the completion of the Symmes project to include but not necessarily be limited to post development engineering, transportation, public works, public safety, public health and school related issues. Said committee shall develop mitigation plans with clear timelines and operating and capital budget requirements and other recommendations for the consideration of future Town Meetings. It will report on its work to the Board of Selectmen, School Committee, Town Manager, Superintendent of Schools and Finance Committee on a periodic basis. Said committee's term and charge will expire five years from issuance of the final certificate of occupancy.

There shall be seven members, two members of the Symmes Neighborhood Advisory Committee or said Committee's designees as determined by said committee's membership, the Town Manager or his designee, the Director of Planning or his designee, the Director of Public Works or his designee, a member of the Transportation Advisory Committee designated by said committee's membership and a member of the Board of Selectmen or said Board's designee.

A true copy of the vote under Article 37 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 42

APPROPRIATION/TOWN BUDGETS

VOTED: (QUORUM PRESENT)

The following appropriations were voted, with individual sub-budgets being appropriated separately.

**** SEE TEXT**

A true copy of the vote under Article 42 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 13, 2005.

ATTEST:
Town Clerk

ARTICLE 43

APPROPRIATION/MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SHOOL

VOTED: (QUORUM PRESENT)

That the sum of \$2,573,834 be and hereby is appropriated for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School District Budget; said sum to be raised by general tax and expended under the direction of the Minuteman Regional Vocational Technical High School Committee.

A true copy of the vote under Article 43 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 23, 2005.

ATTEST:

Town Clerk

ARTICLE 44

APPROPRIATION/TOWN CELEBRATIONS, ETC.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

The sum of \$12,067 be and hereby is appropriated for the following celebrations and memorials in the amounts indicated:

- A. Veterans' Day Parade, Memorial Day Observation and the Patriot's Day Celebration - \$5,667
- B. 2006 Town Day Celebration - \$0
- C. Display of American Flags on Massachusetts Avenue - \$2,000
- D. Placing of American Flags on the Graves of Veterans - \$4,400

A true copy of the vote under Article 44 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 45

APPROPRIATION/COMMITTEES AND COMMISSIONS

VOTED: (QUORUM PRESENT)

That the sum of \$12,240, be and hereby is appropriated to be expended by the following commissions, committees, and boards in the amounts indicated:

- A. Arlington Historical Commission - \$2,160
- B. Historic District Commissions - \$3,780
(Avon Place Historic District Commission, Broadway Historic District Commission, Central Street Historic District Commission, Jason/Gray Historic District Commission, Russell Historic District Commission, Pleasant Street Historic District Commission, Mount Gilboa/Crescent Hill Historic District Commission)
- C. Capital Planning Committee - \$0
- D. Commission on Disability - \$0
- E. Recycling Committee - \$1,800
- F. Human Rights Commission - \$4,500

Said sum to be raised by general tax and expended under the direction of the various commissions, committees and boards, provided that any funds appropriated hereunder

shall remain under the jurisdiction of said commissions, committees and boards until expended or released, unless otherwise transferred by Town Meeting.

A true copy of the vote under Article 45 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 46 APPROPRIATION/MISCELLANEOUS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

The sum of \$13,667 be and hereby is appropriated for the following purposes:

- A. Legal Defense – To appropriate a sum of money to replenish the Legal Defense fund established under Article 13 of Title I of the Town By-Laws - \$0
- B. Out-Of-State Travel – To appropriate a sum of money for expenses incurred outside the Commonwealth and as described in the General Laws, Chapter 40, Section 5, Paragraph 34, said appropriation to be expended under the direction of the Board of Selectmen and the Town Manager - \$3,000
- C. Revaluation – To appropriate a sum of money to fund the cost of a revaluation of Town property - \$0
- D. Indemnification of Medical Costs - \$10,667
To indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred during 2004 that are the proximate result of the disability for which they were retired; and to defray the expenses of the Medical Panel required by law; provided, however, that no incurred expenses shall be considered for indemnification thereunder except those which are in excess of covered benefits of any plan of Hospital, Surgical or other coverage which the retiree has or had available to him, either directly or through a member of his immediate family, which benefits shall be considered primary, and which must be disclosed by such plan, or by the physician, hospital or other medical personnel or facility with or without the consent of the retiree.

Said sum to be raised by general tax and expended under the direction of the Town Manager.

A true copy of the vote under Article 46 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 47

CAPITAL BUDGET

VOTED: (QUORUM PRESENT – MORE THAN 85 T.M.M. PRESENT AND VOTING)

(1) That the sum of \$8,014,668 be and hereby is appropriated for various capital projects and equipment as shown below, and expended under the direction of the Town Manager, said sum to be raised by general tax:

ITEM	AMOUNT	PROJECT	DEPARTMENT
1.	\$ 5,500	Photocopier Lease	Board of Assessors
2.	\$ 24,000	SCBA – Spare Cylinders	Community Safety – Fire Services
3.	\$ 5,000	Bullet Proof Vest Program	Community Safety – Police Services
4.	\$ 3,500	Laser Radar	Community Safety – Police Services
5.	\$ 4,500	Photocopier	Community Safety – Police Services
6.	\$ 7,500	Radio Maintenance/Update Program	Community Safety – Police Services
7.	\$ 127,000	Vehicle Replacement Program	Community Safety – Police Services
8.	\$ 20,000	Traffic Light Update Program	Community Safety – Support Services
9.	\$ 6,000	Exhaust Extractor	Community Safety – Support Services
10.	\$ 20,000	Cooke's Hollow Bank Stabilization	Conservation Commission
11.	\$ 2,500	Photocopier Lease – Council on Aging	Human Services
12.	\$ 1,518	Photocopier Lease – Robbins House	Human Services
13.	\$ 5,940	Photocopier	Legal/Worker's Compensation
14.	\$ 6,000	Slate Repairs	Library
15.	\$ 3,952	Hot Water Heater Replacement	Library
16.	\$ 4,500	Photocopier	Personnel
17.	\$ 3,000	Photocopier	Public Works Administration
18.	\$ 6,000	Lawn Mowers/Small Equipment	Public Works Cemetery Division
19.	\$ 200,000	Roadway Reconstruction	Public Works Engineering Division
20.	\$ 50,000	Sidewalks and Curbstones	Public Works Engineering Division
21.	\$ 8,000	Snow Plow – (2 per year)	Public Works Highway Division
22.	\$ 6,000	Small Equipment	Public Works Natural Resources Div.
23.	\$ 5,000	Equipment Replacement	Schools
24.	\$ 82,000	Photocopier Lease Program	Schools
25.	\$ 10,000	Systemwide – Roof Repairs	Schools
26.	\$ 10,000	Project Adventure/Fitness	Schools
27.	\$ 5,000	Systemwide – Parking/Roadway Resurfacing	Schools
28.	\$ 9,200	Replace Wall Padding – Pit/Toz Gym	Schools
29.	\$ 5,000	Replace Divider Curtain – Toz Gym	Schools
30.	\$ 35,000	AHS – Replace Front Doors	Schools
31.	\$ 15,000	Ottoson Wall	Schools
32.	\$ 5,500	Photocopier	Town Manager
33.	\$ 5,000	Photocopier	Treasurer

34.	\$ 707,110	Acquisitions Sub-Total
35.	\$ 7,385,109	Prior Debt Service
36.	\$ 136,409	New Debt Service
37.	\$ (73,960)	Less MWRA
38.	\$ (140,000)	Less Transfer From Antenna Fund
	\$ 8,014,668	GRAND TOTAL

And that the sum of \$140,000 be hereby transferred from the Antenna Fund to reduce expenses under this article as indicated above.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

(2) That the various capital projects and equipment purchases shown below shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Manager.

ITEM	AMOUNT	PROJECT	DEPARTMENT
1.	\$ 15,000	Riding Mowers (60")	Public Works Cemetery Division
2.	\$ 480,000	Chapter 90 Roadway	Public Works Engineering Div.
3.	\$ 80,000	Waldo Playground	Public Works Natural Resources Division
4.	\$ 30,000	Crosby Tennis Courts	Public Works Natural Resources Division
5.	\$ 45,000	Locke Playground	Public Works Natural Resources Division
6.	\$ 750,300	Sewer System Rehabilitation	Public Works Water/Sewer Div.
7.	\$ 5,000	Small Equipment	Public Works Water/Sewer Div.
8.	\$ 25,000	Water Meter Program	Public Works Water/Sewer Div.
9.	\$ 1,000,000	Water System Rehabilitation	Public Works Water/Sewer Div.
10.	\$ 30,000	Board System and Glass	Veterans' Memorial Rink Enterprise Fund
	\$ 2,460,300		GRAND TOTAL

VOTED: (STANDING VOTE – 127 IN THE AFFIRMATIVE AND 30 IN THE NEGATIVE)

(3) **That the sum of \$5,071,627 be and hereby is appropriated for extraordinary repairs to public facilities, acquisition of land and the purchase and installation of equipment and for costs incidental and related thereto as follows:**

ITEM	AMOUNT	PROJECT	DEPARTMENT	(STATUTORY CITATION, CHAPTER 44 SECTION (), OR ANY ENABLING AUTHORITY)
1.	\$ 150,000	Ambulance replacement	Community Safety – Fire Services	-7(9)
2.	\$ 10,000	Building Repairs	Community Safety – Fire Services	-7(3A)
3.	\$ 2,300,000	Fire Station – Park Circle	Community Safety – Fire Services	-7(3) & (3A)
4.	\$ 28,000	Prisoner Transport Van	Community Safety – Police Services	-7(9)
5.	\$ 100,000	Portable Radio Purchase	Community Safety – Police Services	-7(28&29)
6.	\$ 10,000	Cell Block Camera	Community Safety – Police Services	-7(3A)
7.	\$ 125,000	Educational IT Program	Data Processing	-7(28&29)
8.	\$ 19,250	Library MLN Equipment	Data Processing	-7(28&29)
9.	\$ 40,000	School Dept-Admin Micro Program	Data Processing	-7(28&29)
10.	\$ 25,000	Software Upgrades & Standardization	Data Processing	-7(28&29)
11.	\$ 63,000	Town-Microcomputer Program	Data Processing	-7(28&29)
12.	\$ 38,000	Generator for Phone System and Computers	Data Processing	-7(28&29)
13.	\$ 48,000	Upgrade Network Infrastructure	Data Processing	-7(28&29)
14.	\$ 140,000	Student Information System	Data Processing	-7(28&29)
15.	\$ 30,000	Cost of Financing	Financing	-7(3A)
16.	\$ 40,158	Air Conditioning & Ventilation Repair	Library	-7(3A)
17.	\$ 12,500	Exterior Stair Repair 1931 Wing	Library	-7(3A)
18.	\$ 10,000	Garage Renovation/Rehab Chapel/HVAC	Public Works Cemetery Division	-7(3A)
19.	\$ 400,000	Reservoir Dam Repair	Public Works Engineering Division	-7 or -8
20.	\$ 27,000	Utility Vehicle 4 x 4	Public Works Engineering Division	-7(9)
21.	\$ 125,000	Front End Loader	Public Works Highway Division	-7(9)
22.	\$ 16,000	Sander Body	Public Works Highway Division	-7(9)
23.	\$ 20,000	Sidewalk Sweeper	Public Works Highway Division	-7(9)
24.	\$ 80,000	Bishop	Public Works Natural Resources Div.	-7(25)
25.	\$ 25,000	Locke Playground	Public Works Natural Resources Div.	-7(25)
26.	\$ 120,000	Menotomy Rocks Park	Public Works Natural Resources Div.	-7(25)
27.	\$ 15,000	Riding Mower, 72" Cut	Public Works Natural Resources Div.	-7(9)
28.	\$ 30,000	Utility Truck	Public Works Natural Resources Div.	-7(9)
29.	\$ 40,000	Wood Chipper	Public Works Natural Resources Div.	-7(9)
30.	\$ 60,000	Large 3 Deck Mower	Public Works Natural Resources Div.	-7(9)
31.	\$ 10,000	Town Hall – Replace AC Units	Public Works Properties Division	-7(3A)
32.	\$ 150,000	Truck Wash Station	Public Works Properties Division	-7(3A)
33.	\$ 20,000	Town Yard Security System	Public Works Properties Division	-7(3A)
34.	\$ 30,000	AHS Lighting & HVAC – Lowe Auditorium	Schools	-7(3A)
35.	\$ 139,968	AHS – Blue Gym – Gymnasium Floor	Schools	-7(3A)
36.	\$ 89,728	Pierce Field – Baseball Field Lights	Schools	-7(25)
37.	\$ 57,365	Pierce Field – Concession Stand/Storage Shed	Schools	-7(25)
38.	\$ 345,658	Pierce Field Bleachers	Schools	-7(25)
39.	\$ 30,000	Mailing Machine	Treasurer	-7(28&29)
40.	\$ 52,000	Parking Meters – 4	Treasurer	-7(28&29)

\$ 5,071,627

GRAND TOTAL

And that the treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow not exceeding the sum of \$5,071,627 under and pursuant to the statutes cited above, and any other enabling authority, and to issue bonds or notes of the Town therefore, said sum to be expended under the direction of the Town Manager.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

(4) That the Town Manager is authorized and directed to apply for and accept any further federal, state or other grants that may be available for any one or more of the foregoing projects and equipment.

VOTED: (QUORUM PRESENT)

(5) Notwithstanding the foregoing, in the event that monies are not expended for the purposes delineated above then the Comptroller is authorized and directed not to transfer these excess funds to available funds, but said funds shall remain and be accounted for in the warrant article pending further vote of the Town Meeting, except as otherwise provided by law.

A true copy of the vote under
Article 47 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held June 15, 2005.

ATTEST:
Town Clerk

ARTICLE 49

**APPROPRIATION/FINANCING OF
CONSTRUCTION OR RECONSTRUCTION
OF SEWERS AND SEWERAGE FACILITIES**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – 85 T.M.M. PRESENT
AND VOTING)**

That the sum of \$412,665 to be used with a grant of \$337,635, be hereby appropriated for the purpose of financing the construction of sewers and sewerage facilities, inflow infiltration reduction or system rehabilitation, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$412,665 under and pursuant to Chapter 44, Section 7, of the General Laws, as amended, or any enabling authority and to issue bonds or notes of the Town therefore; and that the Board of Selectmen and the Town Manager be hereby authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and be further authorized to accept and

expend, in addition to the foregoing appropriation, any grants that may become available therefore from the Massachusetts Water Resources Authority or otherwise.

A true copy of the vote under
Article 49 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 50

**APPROPRIATION/FINANCING OF
CONSTRUCTION OR RECONSTRUCTION OF
WATER MAINS AND WATER FACILITIES**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That the sum of \$1,000,000 be appropriated for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,000,000 under and pursuant to Chapter 44, Section 8, of the General Laws, as amended, or any enabling authority and to issue bonds or notes the Town therefore; and that the Board of Selectmen and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may become available therefore from the Massachusetts Water Resources Authority or otherwise.

A true copy of the vote under
Article 50 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 51

**APPROPRIATION/PENSION ADJUSTMENT FOR
FORMER TWENTY-FIVE YEAR EMPLOYEES**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$0 be and hereby is appropriated to implement the provision of Chapter 32 of the General Laws, Sections 90A, 90C, 90D, and 90E (pursuant to which the Town

pays up to fifty percent of the maximum of the classification pay plan for the position formerly occupied by the retirees, and in accordance with prior practice and understanding of the Town) relating to the pension adjustment of former employees, said sum to be expended under the direction of the Retirement Board.

A true copy of the vote under
Article 51 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 52

POSITIONS RECLASSIFICATION

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town amends the classification plans as follows:

A. Additions and Deletions

1. By deleting the following title:
Senior Clerk and Typist – Board of Health OA2

And inserting in its place:

Principal Clerk and Secretary – Board of Health OA3
Notes: Difference in maximum salaries: \$4,468

2. By deleting the following title:
Veteran's Service Agent

And inserting in its place:

Director of Veteran's Services
Notes: This change is in title only, no change in compensation.

3. By adding the following title:
Recreation Coordinator – ATP 8

B. Reclassifications

1. Detention Attendant, Community Safety
From OA3 to OA4
Requested Appropriation: \$1,440
2. Executive Secretary, Town Manager's Office
From OA7 to ATP4
Requested Appropriation \$4,324
3. Office Manager – Data Input
From ATP4 to ATP5
Requested Appropriation: Already included in the Treasurer's Request for FY06
Notes: Difference in maximum salaries: \$2,503

Said appropriations to be raised by the general tax and expended by the Town Manager.

A true copy of the vote under
Article 52 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 53

**ESTABLISH COMMITTEE/
200TH ANNIVERSARY OF TOWN**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

To establish a committee to consider, and, if it finds it appropriate, to plan for an observance of the 200th anniversary of the incorporation of the Town in 1807, said committee to consist of at least five members to be appointed by the Moderator; to appropriate the sum of one hundred dollars for the expenses of said committee, said sum to be raised by general tax and expended under the direction of the committee; said funds to remain under the jurisdiction of the committee until released by the committee or otherwise voted by Town Meeting.

A true copy of the vote under
Article 53 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 54 APPROPRIATION/PEIRCE SCHOOL

VOTED: (QUORUM PRESENT)

That the Town appropriate \$70,000 for architects and other expenses for the Peirce School construction, said sum to be transferred from unspent funds in the Brackett School construction account appropriated by Town Meeting held on May 5, 1997 (\$24,000) and from available funds in the elementary school unspent account created by Chapter 133 of the Acts of 1998 (\$46,000).

A true copy of the vote under
Article 54 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 18, 2005.

ATTEST:
Town Clerk

ARTICLE 55 APPROPRIATION/TRANSPORTATION ADVISORY COMMITTEE

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That \$17,000 of the Transportation Advisory Committee's original \$50,000 appropriation be carried over for use in fiscal year 2006.

A true copy of the vote under
Article 55 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 23, 2005.

ATTEST:
Town Clerk

ARTICLE 57 APPROPRIATION/WEED TREATMENT

VOTED: (QUORUM PRESENT)

That \$20,000 be appropriated for remediation of invasive weeds in Spy Pond, said sum to be raised by General Tax and expended under the direction of the Town Manager.

A true copy of the vote under Article 57 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 23, 2005.

ATTEST:
Town Clerk

ARTICLE 61

**APPROPRIATION/RETIREE
HEALTHCARE TRUST FUND**

VOTED: (QUORUM PRESENT)

That the sum of \$211,572 be appropriated to fund the Healthcare Trust Fund as established by Chapter 12 of the Acts of 1998, and to accept into this fund any other monies the Town may deem appropriate to fund its healthcare obligations, said sum to be raised by general tax and expended under the direction of the Town Treasurer.

A true copy of the vote under Article 61 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 23, 2005.

ATTEST:
Town Clerk

ARTICLE 62

**APPROPRIATION/TIP FEE
STABILIZATION FUND**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 T.M.M. PRESENT AND VOTING)**

That the sum of \$400,000 be and hereby is appropriated and transferred from the Arlington Tip Fee Stabilization Fund established under Chapter 8 of the Acts of 1998 to the Sanitation Budget 16e Rubbish Disposal/Recycling; said sum to be expended under the direction of the Town Manager.

A true copy of the vote under Article 62 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held June 20, 2005.

ATTEST:
Town Clerk

ARTICLE 63**TRANSFER OF FUNDS/CEMETERY****VOTED: (UNANIMOUSLY) (QUORUM PRESENT)**

That the Town transfer \$31,000 to the capital budget and \$150,000 to the Cemetery Commissioners for the improvement of Town cemeteries, said sums to be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves Fund" and/or the "Perpetual Care Fund".

A true copy of the vote under Article 63 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 23, 2005.

ATTEST:
Town Clerk

ARTICLE 64**APPROPRIATION/OVERLAY RESERVE****VOTED: (UNANIMOUSLY) (QUORUM PRESENT)**

That the sum of \$400,000 be and hereby is appropriated, to be transferred from Overlay Reserve Surplus Accounts of previous fiscal years, said sum to be utilized in the determination of the tax rate.

A true copy of the vote under Article 64 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 23, 2005.

ATTEST:
Town Clerk

ARTICLE 65**APPROPRIATION/STABILIZATION****VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN 85 T.M.M. PRESENT AND VOTING)**

That the sum of \$2,064,528 be and hereby is appropriated to a new stabilization fund pursuant to Section 5B of Chapter 40 of the General Laws to be called the Fiscal Stability Stabilization Fund to be utilized for future municipal budget expenditures said sum to be raised by general tax.

A true copy of the vote under
Article 65 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held June 20, 2005.

ATTEST:
Town Clerk

ARTICLE 66

USE OF FREE CASH

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$1,614,155 be taken from available funds in the treasury, and that the Board of Assessors is instructed to use said amount in the determination of the tax rate.

A true copy of the vote under
Article 66 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held June 20, 2005.

ATTEST:
Town Clerk

ARTICLE 67

HEALTH INFORMATION SPECIFIC TO ARLINGTON

VOTED: (QUORUM PRESENT)

Whereas, serious health problems are said to exist in epidemic proportions across Massachusetts, and

Whereas, these health conditions result in both reduced quality of life, and high health costs, and

Whereas, it is uncertain how many people in Arlington suffer from these health problems, and

Whereas, local public health and fitness resources are necessary to address these serious health problems, and

Whereas, the best information possible is necessary to encourage local action, and to justify fiscal allocations to address public health problems, and,

Whereas, the technology of the information age has the capacity to manage aggregate local health information, therefore

Let it be resolved by the Arlington Town Meeting that aggregate health data specific to the Town of Arlington is needed and highly valued;

And that the Arlington Town Meeting requests that the health care system, including public health, the providers, and the insurance industry, work together to develop systems to report to the Town of Arlington the ten most prevalent health problems in the town, so Arlington will have the basis for an informed and proactive culture of prevention, while maintaining individual privacy regarding personal health and health costs.

This Resolution to be sent to, but not limited to, the following entities: the State Department of Public Health, the Schools of Public Health of Boston University, Brandeis University, Harvard University, and Tufts University, the Massachusetts Health Council, the Division of Quality Improvement at the Centers for Medicare and Medicaid Services, and to local health insurance companies including Blue Cross Blue Shield, Fallon, Harvard Pilgrim, Neighborhood Health Plan, and Tufts Health Plan.

A true copy of the vote under Article 67 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 23, 2005.

ATTEST:
Town Clerk

ARTICLE 68

STABILIZATION FUND TRANSFER

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That \$1,500,000 be transferred from the Town Building Insurance Fund to the Stabilization Fund.

A true copy of the vote under Article 68 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 23, 2005.

ATTEST:
Town Clerk